

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 16352 of 2024

Arising Out of PS. Case No.-159 Year-2023 Thana- KORMA District- Sheikhpura

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1. Vijay Kumar Son Of Dilip Kumar Resident Of Village - Gola Road (Katra), P.S. And District - Sheikhpura
 2. Gaurav Kumar Son Of Subodh Prasad @ Subodh Kumar Resident Of Village - Puranka Ma, P.S. And District - Sheikhpura
 3. Saurav Kumar Son Of Subodh Kumar @ Subodh Prasad Resident Of Village - Puranka Ma, P.S. And District - Sheikhpura

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Vishnu Deo Pd. Mahto Son Of Late Hardeo Mahto Resident Of Village - Chaurhi, P.S. - Korma, District - Sheikhpura

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 16-07-2024 Heard learned counsel for the petitioners and learned A.P.P for the State.

2. The petitioners has preferred this application for grant of regular bail in connection with Korma P.S. Case No. 159 of 2023 dated 18.12.2023 registered for the offences punishable u/ss 419, 420, 120(B) read with section 34 of the Indian Penal Code and Section 66(C) and 66(D) of the I.T. Act, 2000.

3. As per the prosecution case, some unknown persons have alleged to have withdrawn Rs.84,000/- from the State

Bank account of the informant on eight different times, which has not been done by the informant. It is further alleged that the said withdrawal has been done through U.P.I. of which the petitioner have no knowledge.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners are not named in the FIR. The name of the petitioners have sprung up in this case only on suspicion. There is general and omnibus allegation against the petitioners. Nothing have been recovered from the conscious possession of the petitioners. The cash which has been recovered from the house of the petitioner nos. 2 and 3 is of Rs.7,30,000/- which is of the petitioner nos. 2 and 3 only. There is no chance of absconding or tampering with the evidence. The co-accused Satish Kumar used to transfer money from his mobile to Deepak Kumar, Sudhir Kumar, Vijay Kumar, Gaurav Kumar and Saurav Kumar. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 19.12.2023 .

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances

of the case, as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Sheikhpura in connection with Korma P.S. Case No. 159 of 2023 with a condition/s:-

(i). The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioners are liable to cancelled.

(ii). If the petitioners are found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of their bail bonds.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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